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Attorneys for Plaintiff Bandag, Incorporated

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

IN RE RUBBER CHEMICALS ANTITRUST)	MDL Docket No. C 04-1648 MJJ
LITIGATION)	Individual Case No. C 06-5700 MJJ
)	
)	
)	STIPULATION REGARDING
)	DISMISSAL OF TENNESSEE STATE
THIS DOCUMENT RELATES TO:)	LAW CLAIM AND [PROPOSED]
)	ORDER
<i>Bridgestone Americas Holding, Inc., et al.</i>)	
<i>v. Chemtura Corporation, et al.</i>)	
)	

WHEREAS, the individual action, *Bridgestone Americas Holding, Inc., et al. v. Chemtura Corporation, et al.*, was transferred from the Middle District of Tennessee pursuant to 28 U.S.C. § 1407(c) and docketed with this Court on September 19, 2006;

WHEREAS, no adverse party has filed an answer nor has any party filed a motion for

summary judgment in this action;

WHEREAS, Bridgestone Americas Holding, Inc., Bridgestone Firestone North American Tire, LLC, and Pirelli Tire, LLC have voluntarily dismissed their action against Defendants pursuant to Rule 41(a)(1);

WHEREAS, the remaining Plaintiff, Bandag, Incorporated (“Bandag”), does not intend on asserting Tennessee state antitrust law claims against Defendants; and

WHEREAS, as a result of this Stipulation, the parties hereby withdraw all arguments solely addressing Tennessee state antitrust law claims in the pending motions to dismiss, oppositions, and replies thereto, the hearing on which is currently scheduled for May 23, 2007, at 2:30 p.m., before Honorable Martin J. Jenkins.

NOW THEREFORE IT IS HEREBY STIPULATED AND AGREED BETWEEN THE PARTIES, BY AND THROUGH THEIR COUNSEL OF RECORD, THAT:

1. The Second Cause of Action in the Amended Complaint, for violations of Tennessee state antitrust law by Defendants, is dismissed with prejudice.

2. All arguments solely addressing Tennessee state antitrust law claims in the pending motions to dismiss, oppositions, and replies thereto, the hearing on which is currently scheduled for May 23, 2007, at 2:30 p.m., are withdrawn and need not be considered by the Court.

3. All parties will bear their own attorneys’ fees and costs.

4. This stipulation and dismissal is without prejudice to the remaining claims filed against Defendants by Bandag in the above-captioned case. The case will continue on all of Bandag’s remaining claims against all Defendants.

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IT IS SO STIPULATED.

Dated: March __, 2007

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Dated: March __, 2007

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Corporation(formerly known as Crompton Corporation)
and Uniroyal Chemical Company, Inc.

SIGNATURES CONTINUED ON FOLLOWING PAGE

1 ADDITIONAL SIGNATURE PAGE TO
2 STIPULATION REGARDING DISMISSAL OF TENNESSEE STATE LAW CLAIM AND
3 [PROPOSED] ORDER

4 Dated: March __, 2007

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14 Dated: March __, 2007

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23 Dated: March __, 2007

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SIGNATURES CONTINUED ON FOLLOWING PAGE

1 Dated: February __, 2007

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GOOD CAUSE APPEARING THEREFORE, IT IS SO ORDERED THAT:

1. The Second Cause of Action in the Amended Complaint, for violations of Tennessee state antitrust law by Defendants, is dismissed with prejudice.

2. All arguments solely addressing Tennessee state antitrust law claims in the pending motions to dismiss, oppositions, and replies thereto, the hearing on which is currently scheduled for May 23, 2007, at 2:30 p.m., are withdrawn and will not be considered by the Court.


3. All parties will bear their own attorneys' fees and costs.

4. This stipulation and dismissal is without prejudice to the remaining claims filed against Defendants by Bandag in the above-captioned case. The case will continue on all of Bandag's remaining claims against all Defendants.

IT IS SO ORDERED.

Dated: 4/18/07, 2007

BY:



HONORABLE MARTIN J. JENKINS
UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF
CALIFORNIA